

Exhibit 5

BC faces dilemma over Irish archive

By Lisa Wangsness and Tracy Jan

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An Irish journalist who oversaw a secret Boston College oral history project on the war in Northern Ireland said yesterday that if the US government succeeds in compelling the college to surrender decade-old interviews with two former soldiers of the Provisional Irish Republican Army, he believes that BC may have to destroy the rest of the tapes to protect those who participated under what they understood to be an ironclad promise of confidentiality until their death.

At the request of the Police Service of Northern Ireland, federal prosecutors have issued a subpoena ordering BC to turn over the tapes of two interviewees, including one who is still living, who disclosed last year that the interviews may contain information about the disappearance and killing in the early 1970s of people the IRA suspected of being British informants.

"Everyone else who has given interviews will be worried now about the consequences of this, and quite rightly," said Ed Moloney, whom BC hired to direct the project. "They are going to be alarmed there will be more leaks, and we're going to have to address that in a very determined way."

The college is weighing whether to cooperate with the subpoena as it seeks legal guidance and additional information from the US attorney's office, in a case that has rattled academics and oral historians around the country because it raises questions about confidentiality guarantees that researchers often promise subjects.

The subpoena, first reported by the New York Times Friday, seeks interviews with IRA soldiers Brendan Hughes, who died in 2008, and Dolours Price. Both served time in prison for IRA activities. An Irish newspaper reported last year that, in an interview, Price accused Sinn Fein leader Gerry Adams, now a member of the Irish Parliament, of ordering the kidnapping and killing of people the IRA suspected as loyalist informants. Adams has categorically denied those assertions and that he was a member of the IRA.

Historians and ethicists, including a BC theologian, said yesterday that Moloney's researchers should have warned interview subjects that a promise of confidentiality may not withstand a government subpoena. But now that the agreements are being tested by federal prosecutors, some academics say the university has a moral obligation to fight to uphold the promise.

Boston College, founded in 1863 to educate the children of refugees of the Irish famine, has been an international leader in Irish programs and a broker in the Northern Irish Peace Process.

"We have concerns for the safety of the interviewers who conducted their interviews with the assurance of confidentiality, as well as concerns regarding the effect this subpoena may have on oral history projects as an academic enterprise," BC spokesman Jack Dunn said in a statement.
